

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** By **VICE CHAIRMAN JOHN (JACK) W. ROSS**, on February 2, 2005 at 3:15 P.M., in Room 152 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Christopher Harris, Vice Chairman (D)  
Rep. John (Jack) W. Ross, Vice Chairman (R)  
Rep. Debby Barrett (R)  
Rep. Norma Bixby (D)  
Rep. Dee L. Brown (R)  
Rep. Paul Clark (D)  
Rep. Sue Dickenson (D)  
Rep. George Everett (R)  
Rep. Kevin T. Furey (D)  
Rep. Gail Gutsche (D)  
Rep. Ralph Heinert (R)  
Rep. Llew Jones (R)  
Rep. Mike Jopek (D)  
Rep. Carol Lambert (R)  
Rep. Rick Maedje (R)  
Rep. Veronica Small-Eastman (D)

**Members Excused:** Rep. Jim Peterson, Chairman (R)

**Members Absent:** Rep. David E. Wanzenried (D)

**Staff Present:** Joe Kolman, Legislative Branch  
Debra Polhemus, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HJ 9, 1/29/2005; HB 428, 1/28/2005;  
HB 429, 1/28/2005; HB 453,  
1/28/2005

**HEARING ON HB 453**

**Opening Statement by Sponsor:**

00:02:42      **REP. KEVIN FUREY (D), HD 91**, opened the hearing on **HB 453**, Administrative penalties for certain environmental law violations.

**Proponents' Testimony:**

00:03:19      John Arrigo, Administrator, Department of Environmental Quality, Enforcement Division

[EXHIBIT \(nah26a01\)](#)

[EXHIBIT \(nah26a02\)](#)

00:10:21      Don Allen, Western Environmental Trade Association

**Opponents' Testimony:**

00:12:11      Bob Gilbert, Montana Automobile Dismantlers and Recyclers Association (MADRA)

00:17:59      Loretta Miller, Treasurer, Montana Automobile Dismantlers and Recyclers Association

00:21:36      L. Harold Blattie, Assistant Director, Association of Counties

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:22:36      **REP. LAMBERT**

00:26:47      **REP. JOPEK**

00:30:32      **REP. HARRIS**

00:33:12      **REP. BROWN**

00:35:49      **REP. EVERETT**

00:39:30      **REP. HARRIS**

00:40:23      **REP. HEINERT**

00:42:41      **REP. MAEDJE**

00:46:08      **REP. ROSS**

**Closing by Sponsor:**

00:47:22      **REP. KEVIN FUREY (D), HD 91** closed the hearing on **HB 453**.

**HEARING ON HB 428**

**Opening Statement by Sponsor:**

00:50:38      **REP. GAIL GUTSCHE (D), HD 99**, opened the hearing on **HB 428**, Revise laws related to enforcement of strip and underground mine reclamation.

**EXHIBIT (nah26a03)**

**EXHIBIT (nah26a04)**

**Proponents' Testimony:**

00:53:59      John Arrigo, Administrator, Enforcement Division, Department of Environmental Quality

**EXHIBIT (nah26a05)**

01:05:27      Bud Clinch, Executive Director, Montana Coal Council

01:07:29      Michael Kakuk, Attorney, representing Montana Contractors Association

01:07:59      Jeff Barber, Montana Environmental Information Center

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

01:08:59      **REP. MAEDJE**

01:10:33      **REP. JOPEK**

01:11:38      **REP. LAMBERT**

**Closing by Sponsor:**

01:12:31      **REP. GAIL GUTSCHE (D), HD 99** closed the hearing on **HB 428**.

**HEARING ON HB 429**

**Opening Statement by Sponsor:**

01:14:08      **REP. GAIL GUTSCHE (D), HD 99**, opened the hearing on **HB 429**, Revise laws relating to enforcement of environmental and mining laws.

**EXHIBIT (nah26a06)**

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**Proponents' Testimony:**

01:17:47 John Arrigo, Administrator, Enforcement Division,  
Department of Environmental Quality

**EXHIBIT (nah26a07)**

01:28:59 Gail Abercrombie, Executive Director, Montana  
Petroleum Association

01:30:53 Jeff Barber, Montana Environmental Information  
Center

01:33:05 Bud Clinch, Executive Director, Montana Coal  
Council

Todd Spangler, Kalispell

**EXHIBIT (nah26a08)**

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**Opponents' Testimony:** None.

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**Informational Testimony:** None.

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**Questions from Committee Members and Responses:**

01:34:20 REP. LAMBERT

01:35:11 REP. DICKENSON

01:36:42 REP. BARRETT

01:38:15 REP. MAEDJE

01:41:50 REP. BARRETT

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**Closing by Sponsor:**

01:42:41 REP. GAIL GUTSCHE (D), HD 99 closed the hearing on  
HB 429.

**HEARING ON HJ 9**

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**Opening Statement by Sponsor:**

01:45:19 REP. DEBBY BARRETT (R), HD 72, opened the hearing  
on HJ 9, Study wilderness set asides.

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**Proponents' Testimony:**

01:47:59 Ellen Engstedt, Montana Wood Products Association

**EXHIBIT (nah26a09)**

01:51:19 John Bloomquist, Montana Stock Growers Association

01:52:21 L. Harold Blattie, Assistant Director, Montana  
Association of Counties

01:52:13 Jason Todhunter, Montana Logging Association

01:53:54 Don Allen, Western Environmental Trade Association

01:54:18 Gail Abercrombie, Montana Petroleum Association

**Opponents' Testimony:**

01:56:16 Tim Baker, Interim Executive Director, Montana  
Wilderness Association

**EXHIBIT (nah26a10)**

02:01:15 Mark Aagenes, Montana Trout Unlimited

**Informational Testimony:**

02:02:28 Terry Chute, U.S. Forest Service

**EXHIBIT (nah26a11)**

**EXHIBIT (nah26a12)**

**Questions from Committee Members and Responses:**

02:04:46 REP. LAMBERT

02:05:59 REP. JOPEK

02:09:29 REP. CLARK

02:14:19 REP. HARRIS

02:19:04 REP. MAEDJE

**Closing by Sponsor:**

02:25:06 REP. DEBBY BARRETT (R), HD 72, closed the hearing  
on HJ 9.

02:28:51

**ADJOURNMENT**

Adjournment: 5:40 P.M.

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REP. JIM PETERSON, Chairman

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DEBRA POLHEMUS, Secretary

JP/dp

Additional Exhibits:

**EXHIBIT ([nah26aad0.TIF](#))**